

Mr. Dudley Tarlton
TransMontaigne Terminaling Inc. - South Bend Terminal
20630 West Ireland Road
South Bend, Indiana 46614

Re: 141-12160
First Administrative Amendment to
FESOP 141-9083-00139

Dear Mr. Tarlton:

TransMontaigne Terminaling Inc. - South Bend Terminal was issued a permit on April 29, 1998 for operating a bulk gasoline terminal. A letter requesting several amendments was received on April 7, 2000. Pursuant to the provisions of 326 IAC 2-8-10(a)(2) and 326 IAC 2-8-10(a)(15)(B) the permit is hereby administratively amended as follows:

The Permittee is requesting to re-name the additive tanks(Additive1, Additive 2 and Additive 3).The Permittee replaced(in 1996) the tank formerly identified as Additive 3 with a smaller 500 gallon tank which has lower VOC and HAP emissions than the previous tank(8000 gallons) and it also does not have any applicable federal or state rules. So sections D.1(e), D.1(f), D.1(g), conditions A.2(e), A.2(f) and A.2(g) shall be amended as follows(changes in bold):

SECTION D.1 FACILITY OPERATION CONDITIONS

- (e) ~~Additive 1~~ **Tank 100** (constructed 1996) - A horizontal above ground fixed roof tank identified as GA used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.
- (f) ~~Additive 2~~ **Tank 101**(constructed 1996) - A horizontal above ground fixed roof tank identified as DA used for storing fuel additive. The ~~length, diameter and capacity are 21 feet, 8 feet and 8,000~~ **of the tank is 500** gallons. , ~~respectively~~.
- (g) ~~Additive 3~~ **Tank 104** (constructed 1996) - A horizontal above ground fixed roof tank identified as RD used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

This stationary source consists of the following emission units and pollution control devices:

- (e) ~~Additive 1~~ **Tank 100** (constructed 1996) - A horizontal above ground fixed roof tank identified as GA used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.
- (f) ~~Additive 2~~ **Tank 101** (constructed 1996) - A horizontal above ground fixed roof tank identified as DA used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.
- (g) ~~Additive 3~~ **Tank 104** (constructed 1996) - A horizontal above ground fixed roof tank identified as RD used for storing fuel additive. ~~The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.~~ **of the tank is 500 gallons.**

The Permittee is requesting to construct a 20,000 gallons vertical fixed roof above ground storage tank to store ethyl alcohol ethanol and the New Source Performance Standards(NSPS) (326 IAC 12, (40 CFR 60.110b and 40 CFR 60.116b) are applicable to this tank. The Permittee is also requesting to re-name a vertical tank identified as EA. So section D.2(r) shall be added and section D.2(n), conditions D.2.7 and D.2.9 shall be amended as follows(changes in bold):

SECTION D.2 FACILITY CONDITIONS

- (n) One (1) vertical fixed roof, above ground storage tank identified as ~~EA Tank 102~~, used for storing ethyl alcohol. The height, diameter, capacity are 31 feet, 10.50 feet and 20,000 gallons respectively.
- (r) **One (1) vertical fixed roof, above ground storage tank identified as Tank 103, used for storing ethyl alcohol ethanol. The height, diameter, capacity are 31 feet, 10.50 feet and 20,000 gallons respectively.**

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)][40 CFR 60.116b]

D.2.7 Monitoring of Operations [40 CFR 60.116b]

The owner or operator of vertical fixed roof storage ~~tank tanks~~ identified as ~~EA Tank 102 and Tank 103~~ shall keep readily accessible records showing the dimension of the ~~tank tanks~~ and analysis showing the ~~capacity~~ **capacities** of the storage ~~tank tanks~~.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16][40 CFR 60.116b]

D.2.9 Record Keeping Requirements

The owner or operator of vertical fixed roof storage ~~tank tanks~~ identified as ~~EA Tank 102 and Tank 103~~ shall keep readily accessible records showing the dimension of the ~~tank tanks~~ and analysis showing the ~~capacity~~ **capacities** of the ~~tank tanks~~ for the life of the source.

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of

this amendment and the following revised permit pages to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5.
If you have any questions on this matter, please contact Shantanu S. Pahi, at (800) 451-6027, press 0
and ask for Shantanu S. Pahi or extension 3-0868, or dial (317) 233-0868.

Sincerely,

Paul Dubenetzky, Chief
Permits Branch
Office of Air Management

Attachments: Amended FESOP Pages(6 pages.)

spahi

cc: File - St. Joseph County
U.S. EPA, Region V
St. Joseph County Health Department
Northern Regional Office
Air Compliance Section Inspector - Rick Reynolds
Compliance Data Section - Karen Nowak
Administrative and Development - Janet Mobley
Technical Support and Modeling - Michele Boner

**ENHANCED NEW SOURCE REVIEW (ENSR) and
FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP)
OFFICE OF AIR MANAGEMENT**

**TransMontaigne Terminaling, Inc.
(Formerly COZ Terminaling, Inc.)
20630 West Ireland Road
South Bend, Indiana 46614**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 and 326 IAC 2-1-3.2, as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: F141-9083-00139	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Management	Issuance Date: April 29, 1998

First Administrative Amendment: 141-12160-00139 Pages Affected: 5, 6, 28, 33, 34 and 35	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Management	Issuance Date:

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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM), and presented in the permit application.

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a bulk gasoline terminal.

Responsible Official: Mr. Dudley Tarlton
Source Address: 20630 West Ireland Road, South Bend, Indiana 46614
Mailing Address: 280 North College, Suite 500, P. O. Box 1503, Fayetteville, AR 72702
SIC Code: 4226
County Location: St. Joseph
County Status: Attainment for all criteria pollutants
Source Status: Federally Enforceable State Operating Permit (FESOP)
Minor Source, under PSD;

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

This stationary source consists of the following emission units and pollution control devices:

- (a) Tank 711 (constructed 1947) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 38 feet, 60 feet and 798,000 gallons, respectively.
- (b) Tank 702 (constructed 1947) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 35 feet, 60 feet and 729,246 gallons, respectively.
- (c) Tank 722 (constructed 1951) - A vertical, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 48 feet, 90 feet and 2,299,962 gallons, respectively.
- (d) Tank 732 (constructed 1951) - A vertical above ground, fixed roof cone tank used for storing distillate fuel oil. The height, diameter and capacity are 48 feet, 90 feet and 2,299,962 gallons, respectively.
- (e) Tank 100 (constructed 1996) - A horizontal above ground fixed roof tank identified as GA used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.
- (f) Tank 101 (constructed 1996) - A horizontal above ground fixed roof tank identified as DA used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.
- (g) Tank 104 (constructed 1996) - A horizontal above ground fixed roof tank identified as RD used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.
- (h) One (1) loading bay area identified as A-1 consisting of a loading rack identified as north, consisting five (5) loading arms identified as arm- N₁ to N₅, each have a maximum

capacity to deliver 600 gallons of fuel per minutes, loading arm N_1 and N_2 delivers fuel distillates, loading arm N_3 , N_4 and N_5 carries gasoline fuels respectively. The VOC emissions from the loading arms identified as N_1 to N_5 are controlled by a one (1) vapor collection system and vented to one (1) thermal oxidizer with a heat input capacity of 54,486 Btu/hour;

- (i) One (1) loading bay area identified as A-2 consisting of a loading rack identified as south, consisting five (5) loading arms identified as arm- S_1 to S_5 , each have a maximum capacity to deliver 600 gallons of fuel per minutes, loading arm S_1 and S_2 delivers fuel distillates, loading arm S_3 , S_4 and S_5 carries gasoline fuels respectively. The VOC emissions from the loading arms identified as S_1 to S_5 are controlled by a one (1) vapor collection system and vented to one (1) thermal oxidizer with a heat input capacity of 54,486 Btu/hour.
- (j) Tank 701 (constructed 1947) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 40 feet, 60 feet and 840,000 gallons, respectively.
- (k) Tank 704 (constructed 1946) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 40 feet, 42.60 feet and 420,000 gallons, respectively.
- (l) Tank 712 (constructed 1946) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 40 feet, 42.60 feet and 420,000 gallons, respectively.
- (m) Tank 714 (constructed 1946) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 40 feet, 42.60 feet and 420,000 gallons, respectively.
- (n) One (1) vertical fixed roof, above ground storage tank identified as EA, used for storing ethyl alcohol. The height, diameter, capacity are 31 feet, 10.50 feet and 20,000 gallons respectively.
- (o) One (1) vertical fixed roof, above ground storage tank (constructed 1947) identified as 703, used for storing jet kerosene. The height, diameter, capacity are 40 feet, 42.50 feet and 420,000 gallons respectively.
- (p) One (1) loading arm identified as N_6 at loading rack identified as north on loading bay area identified as A-1, maximum capacity to deliver 600 gallons of ethanol per minutes, The VOC emissions from the loading arms identified as N_6 are controlled by a vapor collection system and vented to one (1) thermal oxidizer with a heat input capacity of 54,486 Btu/hour;
- (q) One (1) loading arm identified as S_6 at loading rack identified as south on loading bay area identified as A-2, maximum capacity to deliver 600 gallons of jet kerosene, The VOC emissions from the loading arms identified as S_6 are controlled by a vapor collection system and vented to one (1) thermal oxidizer with a heat input capacity of 54,486 Btu/hour.
- (r) One (1) vertical fixed roof, above ground storage tank identified as Tank 103, used for storing ethyl alcohol ethanol. The height, diameter, capacity are 31 feet, 10.50 feet and 20,000 gallons respectively.

A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1(21).

A.4 FESOP Applicability [326 IAC 2-8-2]

This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM) for a Federally Enforceable State Operating Permit (FESOP).

A.5 Prior Permit Conditions Superseded [326 IAC 2]

The terms and conditions of this permit incorporate all the current applicable requirements for all emission units located at this source and supersede all terms and conditions in all registrations and permits, including construction permits, issued prior to the date of issuance of this permit. All terms and conditions in such registrations and permits are no longer in effect.

SECTION B GENERAL CONDITIONS

B.1 Permit No Defense [326 IAC 2-1-10] [IC 13]

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

B.2 Definitions [326 IAC 2-8-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, any applicable definitions found in IC 13-11, 326 IAC 1-2, and 326 IAC 2-7 shall prevail.

B.3 Permit Term [326 IAC 2-8-4(2)]

This permit is issued for a fixed term of five (5) years from the effective date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3.

B.4 Enforceability [326 IAC 2-8-6]

- (a) All terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM.
- (b) Unless otherwise stated, terms and conditions of this permit, including any provisions to limit the source's potential to emit, are enforceable by the United States Environmental Protection Agency (U.S. EPA) and citizens under the Clean Air Act.

B.5 Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

B.6 Severability [326 IAC 2-8-4(4)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.7 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

B.8 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)]

- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

- (b) The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that IDEM, OAM, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance

with this permit.

- (c) Upon request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit. For information claimed to be confidential, the Permittee shall furnish such records to IDEM, OAM, along with a claim of confidentiality under 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, the Permittee shall furnish such confidential records directly to the U.S. EPA along with a claim of confidentiality under 40 CFR 2, Subpart B.

B.9 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAM may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.10 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit constitutes a violation of the Clean Air Act and is grounds for:
 - (1) Enforcement action;
 - (2) Permit termination, revocation and reissuance, or modification; and
 - (3) Denial of a permit renewal application.
- (b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (a) Any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, and any other certification required under this permit, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, on the attached Certification Form, with each submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (a) The Permittee shall annually certify that the source has complied with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The certification shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15 of each year to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
 - (5) Such other facts as specified in Sections D of this permit, IDEM, OAM, may require to determine the compliance status of the source.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.13 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMP) within ninety (90) days after issuance of this permit, including the following information on each:
 - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission units and associated emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions;
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) The Permittee shall implement the Preventive Maintenance Plans as necessary to ensure that lack of proper maintenance does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) PMP's shall be submitted to IDEM, OAM, upon request and shall be subject to review and approval by IDEM, OAM, .

B.14 Emergency Provisions [326 IAC 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission

limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes the following:

- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
- (2) The permitted facility was at the time being properly operated;
- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAM, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone No.: 1-800-451-6027 (ask for Office of Air Management, Compliance Section) or,
Telephone No.: 317-233-5674 (ask for Compliance Section)
Facsimile No.: 317-233-5967

Failure to notify IDEM, OAM, by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency, or after the emergency is discovered or reasonably should have been discovered, shall constitute a violation of 326 IAC 2-8 and any other applicable rules. [326 IAC 2-8-12(f)]

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted notice either in writing or facsimile, of the emergency to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the

certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions) for sources subject to this rule after the effective date of this rule. This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAM, may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAM, by telephone or facsimile of an emergency lasting more than one (1) hour in compliance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provision), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

within ten (10) calendar days from the date of the discovery of the deviation.

- (b) Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent.
- (c) Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)]
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAM determines any of the following:
 - (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]
- (c) Proceedings by IDEM, OAM, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAM, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.17 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, IN 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-8-3]
 - (1) A timely renewal application is one that is:

- (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
- (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due. [326 IAC 2-5-3]
- (2) If IDEM, OAM upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-8-9]
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAM takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAM, any additional information identified as needed to process the application.

B.18 Administrative Permit Amendment [326 IAC 2-8-10]

- (a) An administrative permit amendment is a FESOP revision that makes changes of the type specified under 326 IAC 2-8-10(a).
- (b) An administrative permit amendment may be made by IDEM, OAM, consistent with the procedures specified under 326 IAC 2-8-10(b).
- (c) The Permittee may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.19 Minor Permit Modification [326 IAC 2-8-11(a)] [326 IAC 2-8-11(b)(1) and (2)]

- (a) A permit modification is any revision to this permit that cannot be accomplished as an administrative permit amendment under 326 IAC 2-8-10.
- (b) Minor modification of this permit shall follow the procedures specified under 326 IAC 2-8-11(b), except as provided by 326 IAC 2-8-11(c).
- (c) An application requesting the use of minor modification procedures shall meet the requirements of 326 IAC 2-8-3(c) and shall include the information required in 326 IAC 2-8-11(b)(3)(A) through (D).
- (d) The Permittee may make the change proposed in its minor permit modification application immediately after it files such application provided that the change has received any approval required by 326 IAC 2-1. After the Permittee makes the change allowed under minor permit modification procedures, and until IDEM, OAM, takes any of the actions specified in 326 IAC 2-8-11(b)(5), the Permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions.

During this period, the Permittee need not comply with the existing permit terms and conditions it seeks to modify. If the Permittee fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it. [326 IAC 2-8-11(b)(6)]

B.20 Significant Permit Modification [326 IAC 2-8-11(d)]

- (a) Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments.
- (b) Any significant change in existing monitoring permit terms or conditions and every relaxation of reporting or record keeping permit terms or conditions of this permit shall be considered significant.
- (c) Nothing in 326 IAC 2-8-11(d) shall be construed to preclude the Permittee from making changes consistent with 326 IAC 2-8 that would render existing permit compliance terms and conditions irrelevant.
- (d) Significant modifications of this permit shall meet all requirements of 326 IAC 2-8, including those for application, public participation, review by affected states and review by U.S. EPA, as they apply to permit issuance and renewal.

B.21 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-8-11(b)(2)]

Notwithstanding 326 IAC 2-8-11(b)(1)(D)(i) and 326 IAC 2-8-11(c)(1), minor permit modification procedures may be used for modifications of this permit involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches to the extent that such minor permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated by U.S. EPA.

B.22 Changes Under Section 502(b)(10) of the Clean Air Act [326 IAC 2-8-15(b)]

The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-8-15(a) and the following additional condition:

For each such change, the required written notification shall include a brief description of the change within the source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

B.23 Operational Flexibility [326 IAC 2-8-15]

- (a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:
 - (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
 - (2) Any approval required by 326 IAC 2-1 has been obtained;

- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

- (4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review.

Such records shall consist of all information required to be submitted to IDEM, OAM, in the notices specified in 326 IAC 2-8-15(b), (c)(1), and (d).

- (b) For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-8-15(c)]
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision,

subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).

- (d) **Alternative Operating Scenarios [326 IAC 2-8-15(d)]**
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAM or U.S. EPA is required.
- (e) **Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.**

B.24 Construction Permit Requirement [326 IAC 2]

Except as allowed by Indiana P.L. 130-1996 Section 12, as amended by P.L. 244-1997, modification, construction, or reconstruction shall be approved as required by and in accordance with 326 IAC 2.

B.25 Inspection and Entry [326 IAC 2-8-5(a)(2)]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, the Permittee shall allow IDEM, OAM, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.
[326 IAC 2-8-5(a)(4)]

B.26 Transfer of Ownership or Operation [326 IAC 2-1-6] [326 IAC 2-8-10]

Pursuant to 326 IAC 2-1-6 and 2-8-10:

- (a) In the event that ownership of this source is changed, the Permittee shall notify IDEM, OAM, Permits Branch, within thirty (30) days of the change. Notification shall include a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current Permittee and the new owner.
- (b) The written notification shall be sufficient to transfer the permit to the new owner by an administrative amendment pursuant to 326 IAC 2-8-10.
- (c) IDEM, OAM shall reserve the right to issue a new permit.

B.27 Annual Fee Payment [326 IAC 2-8-4(6)] [326 IAC 2-8-16]

- (a) The Permittee shall pay annual fees to IDEM, OAM within thirty (30) calendar days of receipt of a billing, or in a time period consistent with the fee schedule established in 326 IAC 2-8-16.
- (b) Failure to pay may result in administrative enforcement action, or revocation of this permit.
- (c) If the Permittee does not receive a bill from IDEM, OAM, thirty (30) calendar days before the due date, the Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee. The applicable fee is due April 1 of each year.

B.28 Enhanced New Source Review [326 IAC 2]

The requirements of the construction permit rules in 326 IAC 2 are satisfied by this permit for any previously unpermitted facilities and such facilities to be constructed within eighteen (18) months after the date of issuance of this permit, as listed in Sections A.2.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emissions Limitations and Standards [326 IAC 2-8-4(1)]

C.1 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant from the entire source shall be limited to less than one-hundred (100) tons per three hundred sixty-five (365) consecutive day period.
- (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per three hundred sixty-five (365) consecutive day period; and
- (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per three hundred sixty-five (365) consecutive day period.

(b) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does exceed the above specified limits.

(c) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Visible Emissions Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), visible emissions shall meet the following, unless otherwise stated in this permit:

- (a) Visible emissions shall not exceed an average of thirty percent (30%) opacity in twenty-four (24) consecutive readings as determined by 326 IAC 5-1-4,
- (b) Visible emissions shall not exceed sixty percent (60%) opacity for more than a cumulative total of fifteen (15) minutes (sixty (60) readings) in a six (6) hour period.

C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3(a) (2) (A) and (B) are not federally enforceable.

C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and in 326 IAC 9-1-2.

C.5 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). Rule 326 IAC 6-4-2(4) is not federally enforceable.

C.6 Operation of Equipment [326 IAC 2-8-5(a)(4)]

All air pollution control equipment listed in this permit shall be operated at all times that the emission units vented to the control equipment is in operation, as described in Section D of this permit.

**C.7 Asbestos Abatement Projects - Accreditation [326 IAC 14-10] [326 IAC 18]
[40 CFR 61, Subpart M]**

Prior to the commencement of any demolition or renovation activities, the Permittee shall use an Indiana accredited asbestos inspector to inspect thoroughly the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable asbestos containing material. The requirement that the inspector be accredited is federally enforceable.

Testing Requirements [326 IAC 2-8-4(3)]

C.8 Performance Testing [326 IAC 3-2.1]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing methods approved by the IDEM, OAM.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

no later than thirty-five (35) days before the intended test date.

- (b) All test reports must be received by IDEM, OAM within forty-five (45) days after the completion of the testing. An extension may be granted by the Commissioner, if the source submits to IDEM, OAM, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

C.9 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment no more than **ninety (90) days** after receipt of this permit. If due to circumstances beyond its control, this schedule cannot be met, the Permittee shall notify:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

in writing no more than **ninety (90) days** after receipt of this permit, with full justification of the reasons for inability to meet this date and a schedule which it expects to meet. If a denial of the request is not received before the monitoring is fully implemented, the schedule shall be deemed approved.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

C.10 Monitoring Methods [326 IAC 3]

Any monitoring or testing performed to meet the requirements of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, or other approved methods as specified in this permit.

C.11 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18-1] [40 CFR 61.140]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall insure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) asbestos removal or demolition start date;
 - (B) removal or demolition contractor; or
 - (3) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4 emission control requirements are mandatory for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited is federally enforceable.

Corrective Actions and Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

C.12 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]

If a regulated substance, subject to 40 CFR 68, is present in more than the threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:

- (a) **Submit:**
- (1) A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or
 - (2) As a part of the compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP); and
 - (3) A verification to IDEM, OAM, that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.
- (b) Provide annual certification to IDEM, OAM, that the Risk Management Plan is being properly implemented.

C.13 Compliance Monitoring Plan - Failure to Take Corrective Action [326 IAC 2-8-4(3)]

- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. This compliance monitoring plan is comprised of:
- (1) This condition;

- (2) The Compliance Determination Requirements in Section D of this permit;
 - (3) The Compliance Monitoring Requirements in Section D of this permit;
 - (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and
 - (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM, . The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of :
 - (A) Response steps that will be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and
 - (B) A time schedule for taking such response steps including a schedule for devising additional response steps for situations that may not have been predicted.
- (b) For each compliance monitoring condition of this permit, appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.
- (c) After investigating the reason for the excursion, the Permittee is excused from taking further response steps for any of the following reasons:
- (1) The monitoring equipment malfunctioned, giving a false reading. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied or;
 - (3) An automatic measurement was taken when the process was not operating; or
 - (4) The process has already returned to operating within "normal" parameters and no response steps are required.
- (d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate corrective actions. The Permittee shall submit a description of these corrective actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. IDEM, OAM shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient. The Permittee shall submit a description of additional corrective actions taken to IDEM, OAM within thirty (30) days of receipt of the notice of deficiency. IDEM, OAM reserves the authority to use enforcement activities to resolve noncompliant stack tests.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAM that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate permit conditions may be grounds for immediate revocation of the permit to operate the affected facility.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

C.15 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]

- (a) The Permittee shall submit a certified, annual emission statement that meets the requirements of 326 IAC 2-6 (Emission Reporting). This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year). The annual statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015
- (b) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.

C. 16 Monitoring Data Availability

- (a) With the exception of performance tests conducted in accordance with Section C- Performance Testing all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.
- (b) As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is

not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.

- (c) If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.
- (d) If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded.
- (e) At its discretion, IDEM may excuse such failure providing adequate justification is documented and such failures do not exceed five percent (5%) of the operating time in any quarter.
- (f) Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for failure to perform the requirements in (a) above.

C.17 General Record Keeping Requirements [326 IAC 2-8-4(3)(B)]

- (a) Records of all required monitoring data and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location and available within one (1) hour upon verbal request of an IDEM, OAM representative, for a minimum of three (3) years. They may be stored elsewhere for the remaining two (2) years providing they are made available within thirty (30) days after written request.
- (b) Records of required monitoring information shall include, where applicable:
 - (1) The date, place, and time of sampling or measurements;
 - (2) The dates analyses were performed;
 - (3) The company or entity performing the analyses;
 - (4) The analytic techniques or methods used;
 - (5) The results of such analyses; and
 - (6) The operating conditions existing at the time of sampling or measurement.
- (c) Support information shall include, where applicable:
 - (1) Copies of all reports required by this permit;
 - (2) All original strip chart recordings for continuous monitoring instrumentation;
 - (3) All calibration and maintenance records;
 - (4) Records of preventive maintenance shall be sufficient to demonstrate that

improper maintenance did not cause or contribute to a violation of any limitation on emissions or potential to emit. To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C - Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.

- (d) All record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.18 General Reporting Requirements [326 IAC 2-8-4(3)(C)]

- (a) To affirm that the source has met all the requirements stated in this permit the source shall submit a Quarterly Compliance Report. Any deviation from the requirements and the date(s) of each deviation must be reported.
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly report shall be submitted within thirty (30) days of the end of the reporting period.
- (e) All instances of deviations must be clearly identified in such reports. A reportable deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:
- (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
 - (2) An emergency as defined in 326 IAC 2-7-1(12); or
 - (3) Failure to implement elements of the Preventive Maintenance Plan unless lack of maintenance has caused or contributed to a deviation.
 - (4) Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in

any calendar quarter.

A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred or failure to monitor or record the required compliance monitoring is a deviation.

- (f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.
- (g) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period.

Stratospheric Ozone Protection

C.19 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to 40 CFR 82.156
- (b) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1

FACILITY OPERATION CONDITIONS

- (a) Tank 711 (constructed 1947) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 38 feet, 60 feet and 798,000 gallons, respectively.
- (b) Tank 702 (constructed 1947) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 35 feet, 60 feet and 729,246 gallons, respectively.
- (c) Tank 722 (constructed 1947) - A vertical, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 48 feet, 90 feet and 2,299,962 gallons, respectively.
- (d) Tank 732 (constructed 1951) - A vertical above ground, fixed roof cone tank used for storing . The height, diameter and capacity are 48 feet, 90 feet and 2, 299,962 gallons, respectively.
- (e) Tank 100 (constructed 1996) - A horizontal above ground fixed roof tank identified as GA used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.
- (f) Tank 101 (constructed 1996) - A horizontal above ground fixed roof tank identified as DA used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.
- (g) Tank 104 (constructed 1996) - A horizontal above ground fixed roof tank identified as RD used for storing fuel additive. The length, diameter and capacity are 21 feet, 8 feet and 8,000 gallons, respectively.
- (h) One (1) loading bay area identified as A -1 consisting of a loading rack identified as north, consisting five (5) loading arms identified as arm- N₁ to N₅, each have a maximum capacity to deliver 600 gallons of liquid fuel per minutes, loading arm N₁ and N₂ delivers fuel distillates, loading arm N₃, N₄ and N₅ carries gasoline fuels respectively. The VOC emissions from the loading arms identified as N₁ to N₅ are controlled by a one (1) vapor collection system and vented to one (1) thermal oxidizer with a heat input capacity of 54,486 Btu/hour;
- (i) One (1) loading bay area identified as A-2 consisting of a loading rack identified as south, consisting five (5) loading arms identified as arm- S₁ to S₅, each have a maximum capacity to deliver 600 gallons of liquid fuel per minutes, loading arm S₁ and S₂ delivers fuel distillates, loading arm S₃, S₄ and S₅ carries gasoline fuels respectively. The VOC emissions from the loading arms identified as S₁ to S₅ are controlled by a one (1) vapor collection system and vented to one (1) thermal oxidizer with a heat input capacity of 54,486 Btu/hour.

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.1.1 Volatile Organic Compounds (VOC) [326 IAC 12 and 40 CFR 60.500 Subpart XX]

Pursuant to 326 IAC 12 and 40 CFR 60.500 Subpart XX (Standards of Performance for Bulk Gasoline Terminals), the owner or operator of each bulk gasoline terminal containing an affected facility shall comply with the requirements of the following:

- (a) Loading racks identified as north and south (items h and i) shall be equipped with a vapor collection system designed to collect the total organic compound vapors displaced from tank trucks during product loading.
- (b) The emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank truck shall not exceed 35 milligrams of total organic compounds per liter of gasoline loaded.
- (c) Each vapor collection system shall be designed to prevent any total organic compounds vapor collected at one loading rack identified as north from passing to another loading rack identified as south.
- (d) Loading of liquid product into gasoline tank trucks shall be limited to vapor tight gasoline tank trucks using the following procedures:
 - (1) The owner or operator shall obtain the vapor tightness documentation described in 40 CFR 60.505 (b) for each gasoline tank truck which is to be loaded at the affected facility.
 - (2) The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the facilities identified as A-1 and A-2.
 - (3) The owner or operator shall cross check tank identification number obtained in paragraph (d) (2) of this section with the file of tank tightness documentation within 2 weeks after the corresponding tank is loaded.
 - (4) The terminal owner or operator shall notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the facilities identified as A-1 and A-2 within 3 weeks after the loading has occurred.
 - (5) The terminal owner or operator shall take steps assuring that the non-vapor-tight gasoline tank truck will not be reloaded at the facilities identified as A-1 and A-2 until vapor tightness documentation for that tank is obtained.
- (e) The owner or operator shall act to assure that loading of gasoline tank trucks at the facilities identified as A-1 and A-2, are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.
- (f) The owner or operator shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the facilities identified as A-1 and A-2.
- (g) The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during the product loading.
- (h) No pressure-vacuum vent in the bulk gasoline terminal's vapor collection shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).
- (i) Each calendar month, the vapor collection system, the vapor processing system, and loading rack identified as north and south handling gasoline shall be inspected during the

loading of gasoline tank truck for total organic compounds liquid or vapor leaks.

D.1.2 Volatile Organic Compounds (VOC) [326 IAC 8-4-4]

Pursuant to 326 IAC 8-4-4 (Petroleum sources: bulk gasoline terminals),

- (a) No owner or operator of a bulk gasoline terminal shall permit the loading of gasoline into any transport, excluding railroad tank cars, or barges, unless
 - (1) the bulk gasoline terminal is equipped with a vapor control system, in good working order, in operation and consisting of a vapor collection system which directs all vapors to a fuel gas system or incinerator.
 - (2) Displaced vapors and gases are vented only to the vapor control system.
 - (3) A means is provided to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected and,
 - (4) All loading and vapor lines are equipped with fittings which make vapor tight connections and which will be closed upon disconnection.
- (b) If employees of the owner of the bulk gasoline terminal are not present during loading, it shall be the responsibility of the owner of the transport to make certain vapor control system is attached to the transport. The owner of the terminal shall take all reasonable steps to insure that owners of transports loading at the terminal during unsupervised times comply with 326 IAC 8-4-4.

D.1.3 Volatile Organic Compounds (VOC) [326 IAC 8-4-9]

Pursuant to 326 IAC 8-4-9 (Petroleum sources: leaks from transports and vapor collection systems),

- (a) The owner or operator of a vapor balance system or vapor control system shall
 - (1) design and operate the applicable system and the gasoline loading equipment in a manner that prevents:
 - (i) gauge pressure from exceeding four thousand five hundred (4,500) pascals (eighteen (18) inches of H₂O) and a vacuum from exceeding one thousand five hundred (1,500) pascals (six (6) inches) in the gasoline tank truck;
 - (ii) a reading equal to or greater than one hundred percent (100%) of the lower explosive limit (LEL, measured as propane) at two and five-tenths (2.5) centimeters from all points on the perimeter of a potential leak source when measured by the method referenced in Appendix B of "Control of Organic Compounds Leaks from Gasoline Tank Trucks and Vapor Collections Systems", EPA-450/2-78-051, or an equivalent procedure approved by the commissioner during loading or unloading operations at gasoline bulk terminals; and
 - (iii) avoidable visible liquid leaks during loading or unloading operations at gasoline bulk terminals; and

- (2) within fifteen (15) days, repair and retest a vapor collection or control system that exceeds the limits in subdivision (1).

D.1.4 Volatile Organic Compounds (VOC)

The petroleum products from the tanks and loading racks shall be limited to 420,059,520 gallons per year, rolled on a monthly basis. This production limitation is equivalent to volatile organic compounds (VOC) emissions of 99 tons per year, rolled on a monthly basis. Therefore, 326 IAC 2-7 (Part 70 Program) will not apply.

During the first 12 months of operation, the petroleum products usage shall be limited such that the total usage divided by the accumulated months of operation shall not exceed 35,004, 960 gallons per month from tanks and loading racks.

D.1.5 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the two (2) loading bay area identified as A₁ and A₂ consisting of a loading racks identified as north and south, consisting ten (10) loading arms identified as N₁ to N₅, S₁ to S₅ and the one (1) thermal oxidizer.

Compliance Determination Requirements

D.1.6 Testing Requirements [326 IAC 2-8-5(1)]

- (a) During the period between 48 and 54 months after issuance of this permit, the Permittee shall perform the total organic compounds (TOC) test from thermal oxidizer utilizing methods as approved by the Commissioner.
- (b) The tests shall be performed according to 326 IAC 3-2.1 (Source sampling Procedures).
- (c) This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.1.7 Monitoring [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

- (a) The thermal oxidizer and vapor collection system shall operate at all times when the any of the loading racks are operated. When operating, the thermal oxidizer shall maintain a minimum operating temperature of 1400⁰ F to maintain a minimum 35 milligram per liter of total organic compounds (TOC) captured.
- (b) The permittee shall maintain records of the types of volatile petroleum liquid stored, the maximum true vapor pressure of the liquid as stored, and the result of the inspection performed on the storage vessels.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16] [40 CFR 60.505]

D.1.8 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.1, D.1. 2 and D.1.3, the Permittee shall maintain records in accordance with (1) through (3) below.

- (1) The tank truck tightness document documentation shall be kept at the terminal in a permanent form available for inspection.
- (2) The documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test result as determined by Method 27. This document shall include, as a minimum, the following information:
 - (i) Test Title: Gasoline Delivery Tank Pressure Test - EPA Reference Method 27.
 - (ii) Tank Owner and Address.
 - (iii) Tank identification number
 - (iv) Testing location
 - (v) Date of test
 - (vi) Tester name and signature
 - (vii) witnessing inspector, if any: name, signature, and affiliation
 - (viii) Test results: Actual pressure change in 5 minutes
- (3) A records of each monthly leak inspection shall be kept on file at the terminal for at least 2 years. Inspections records shall include, as a minimum, the following information:
 - (i) Date of inspection
 - (ii) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak)
 - (iii) Leak determination method
 - (iv) Corrective action (date each leak repaired; reasons for any interval in excess of 15 days).
 - (v) Inspector name and signature
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

SECTION D.2 FACILITY CONDITIONS

- (j) Tank 701 (constructed 1947) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 40 feet, 60 feet and 840,000 gallons, respectively.
- (k) Tank 704 (constructed 1946) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 40 feet, 42.60 feet and 420,000 gallons, respectively.
- (l) Tank 712 (constructed 1946) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 40 feet, 42.60 feet and 420,000 gallons, respectively.
- (m) Tank 714 (constructed 1946) - A vertical above ground, internal floating roof tank used for storing gasoline or lower vapor pressure products. The height, diameter and capacity are 40 feet, 42.60 feet and 420,000 gallons, respectively.
- (n) One (1) vertical fixed roof, above ground storage tank identified as EA, used for storing ethyl alcohol. The height, diameter, capacity are 31 feet, 10.50 feet and 20,000 gallons respectively.
- (o) One (1) vertical fixed roof, above ground storage tank (constructed 1947) identified as 703, used for storing jet kerosene. The height, diameter, capacity are 40 feet, 42.50 feet and 420,000 gallons respectively.
- (p) One (1) loading arm identified as N₆ at loading rack identified as north on loading bay area identified as A-1, maximum capacity to deliver 600 gallons of ethanol per minutes, The VOC emissions from the loading arms identified as N₆ are controlled by a one (1) vapor collection system and vented to one (1) thermal oxidizer with a heat input capacity of 54,486 Btu/hour;
- (q) One (1) loading arm identified as S₆ at loading rack identified as south on loading bay area identified as A-2, maximum capacity to deliver 600 gallons of jet kerosene per minutes, The VOC emissions from the loading arms identified as S₆ are controlled by a one (1) vapor collection system and vented to one (1) thermal oxidizer with a heat input capacity of 54,486 Btu/hour.
- (r) One (1) vertical fixed roof, above ground storage tank identified as Tank 103, used for storing ethyl alcohol ethanol. The height, diameter, capacity are 31 feet, 10.50 feet and 20,000 gallons respectively.

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1 AND 40 CFR 52.780, WITH CONDITIONS LISTED BELOW.

Construction Conditions [326 IAC 2-1-3.2]

General Construction Conditions

D.2.1 The following construction conditions are not applicable to items j, k, l, m and o because these

storage tanks were constructed prior to year 1968.

- D.2.2 This permit to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

Effective Date of the Permit

- D.2.3 Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

First Time Operation Permit

- D.2.4 This document shall also become the first-time operation permit for the facilities under this section of this permit, pursuant to 326 IAC 2-1-4 (Operating Permits) when, prior to start of operation, the following requirements are met:

- (a) The attached affidavit of construction shall be submitted to:

Indiana Department of Environmental Management
Permit Administration & Development Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

verifying that the facilities were constructed as proposed in the application. The facilities covered in this section of this permit may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to IDEM.

- (b) The Permittee shall receive an Operation Validation Letter from the chief of the Permit Administration & Development Section and Attach it to this permit.

Operation Conditions

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.2.5 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the two (2) loading racks identified as north and south, consisting two (2) loading arms identified as N₆, S₆ and the one (1) thermal oxidizer.

Compliance Determination Requirements

D.2.6 Testing Requirements [326 IAC 2-8-5(1)]

Testing of this facility is not specifically required by this permit. However, this does not preclude testing requirements on this facility under 326 IAC 2-1-4(f) and 326 IAC 2-8-4.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)][40 CFR 60.116b]

D.2.7 Monitoring of Operations [40 CFR 60.116b]

The owner or operator of vertical fixed roof storage tanks identified as Tank 102 and Tank 103 shall keep readily accessible records showing the dimension of the tanks and analysis showing the capacities of the storage tanks.

D.2.8 Monitoring [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

- (a) The thermal oxidizer and vapor collection system shall operate at all times when any of the loading racks are operated. When operating, the thermal oxidizer shall maintain a minimum operating temperature, fan amperage and duct velocity as determined in the compliance test to maintain a minimum 35 milligram per liter of total organic compounds (TOC) captured.
- (b) The permittee shall maintain records of the types of volatile petroleum liquid stored, the maximum true vapor pressure of the liquid as stored, and the result of the inspection performed on the storage vessels.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16][40 CFR 60.116b]

D.2.9 Record Keeping Requirements

The owner or operator of vertical fixed roof storage tanks identified as Tank 102 and Tank 103 shall keep readily accessible records showing the dimension of the tanks and analysis showing the capacities of the tanks for the life of the source.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
CERTIFICATION**

Source Name: TransMontaigne Terminaling, Inc. (Formerly COZ Terminaling, Inc.)
Source Address: 20630 West Ireland Road, South Bend, Indiana 46614
Mailing Address: 280 North College, Suite #500, P.O. Box 1503, Fayetteville, AR 72702
FESOP No.: F141-9083-00139

**This certification shall be included when submitting monitoring, testing reports/results
or other documents as required by this permit.**

Please check what document is being certified:

- 9 Annual Compliance Certification Letter
- 9 Emergency/Deviation Occurrence Reporting Form
- 9 Test Result (specify) _____
- 9 Report (specify) _____
- 9 Notification (specify) _____
- 9 Other (specify) _____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

FESOP Quarterly Report

Source Name: TransMontaigne Terminals, Inc. (Formerly COZ Terminals, Inc.)
Source Address: 20630 West Ireland Road, South Bend, Indiana 46614
Mailing Address: 280 North College, Suite #500, P.O. Box 1503, Fayetteville, AR 72702
FESOP No.: F141-9083-00139
Facility: Source Wide (Tanks and loading racks)
Pollutant: Volatile Organic Compounds (VOC)
Limit: 99 tons per year @ 420,059,520 gal/year, rolled on a monthly basis;
35,004,925 gallons per month for first 12 month (1 year) operation
YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

9 No deviation occurred in this quarter.

9 Deviation/s occurred in this quarter.

Deviation has been reported on: _____

Submitted by: _____

Title / Position: _____

Signature: _____

Date: _____

Phone: _____